the autopsy would have given additional information for questions that might arise later."(6)

The panel concluded, nevertheless, that the autopsy findings were generally accurate. Dr. Baden testified that Dr. King died as a result of a single gunshot wound caused by a bullet that entered the right side of the face approximately an inch to the right and a half inch below the mouth.(7) The bullet fractured Dr. King's jaw, exited the lower part of the face and reentered the body in the neck area.(8) It then severed numerous vital arteries and fractured the spine in several places, causing severe damage to the spinal column and coming to rest on the left side of the back. The bullet traveled in a downward, and rearward from a medial direction.(9)

The panel found that the wounds to Dr. King were caused by the bullet recovered from his body a Remington-Peters, soft point, metal jacketed bullet fired from a distance by a high-velocity rifle.(10) Based on the examination of the evidence by the forensic pathology panel, the committee concluded that Dr. King died as a result of one shot fired from in front of him.

2. THE SHOT THAT KILLED DR. KING WAS FIRED FROM THE BATHROOM WINDOW AT THE REAR OF A ROOMINGHOUSE AT 422½ SOUTH MAIN STREET, MEMPHIS, TENN.

An important issue has always been the location of the assassin at the time the shot was fired. Unfortunately, precise directional and trajectory data could not be obtained in this investigation through forensic pathology for two reasons. One, a dissection of the bullet's path was not performed during the autopsy and could not be done at the time of the committee investigation. Two, it was not possible to determine Dr. King's exact position at the time of the shooting.(11)

From extrinsic evidence, the autopsy panel accepted that at the moment the bullet entered his body, Dr. King was at the balcony railing talking to someone on the pavement one story below.(12) Accordingly, the panel found that the bullet pathway was consistent with the shot coming from his right and above.(13) The autopsy panel concluded that the single bullet that struck Dr. King must have come from across Mulberry Street,[1] because Dr. King's body was facing in that direction and because a bullet coming from that direction would have traveled on a downward slope. The panel concluded, further, that the bullet was probably fired from the area of the roominghouse at 422½ South Main Street, but the panel could not determine, from the medical evidence alone, whether the shot was fired from the bathroom window on the second floor or from the shrubbery below the window.(14)[2]

Because of the importance of determining as accurately as possible the location of the assassin, the committee retained Koogle and Pouls Engineering, Inc. of Albuquerque, N. Mex., to conduct engineering

[1] See MLK Exhibit F 19 (crime scene diagram), Hearings before the Select Committee on Assassinations, U.S. House of Representatives, 95th Congress, 2d Session (Washington, D.C.: U.S. Government Printing Office, 1979), vol. 1, p. 77 (hereinafter HSCA MLK Hearings).

[2] The panel was asked to concentrate on these two specific areas because the committee received eyewitness testimony supporting each as the firing location of the assassin.

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surveys at the scene of the assassination. The engineering consultant met the committee and committee medical panel members in Memphis in June 1978, and the firm proceeded to conduct an engineering survey, using sophisticated scientific equipment.(15)

Eyewitness testimony indicated that at the moment of the bullet's impact, Dr. King was standing on the motel balcony in front of room 306, conversing with associates in the courtyard below.(16) The engineering survey was based on scientific measurements of the rear of the roominghouse from that position and of the probable posture of Dr. King's body at the instant of impact—that is, with his head forward, looking down into the parking area and with a slight forward bend at the waist.(17) While the consultant was unable to state with certainty the vertical angle of the trajectory,(18) the geometric data was consistent with both the bathroom window at the rear of the roominghouse(19) and shrubbery within the garden area at the rear of 418 422½ South Main Street(20) as possible locations for the assassin.

Because the medical and engineering evidence was not conclusive as to the precise origin of the shot,(21) the committee used the testimony of witnesses at the scene to determine the most likely origin. Charles Quitman Stephens, a roominghouse tenant who occupied room 6 B, maintained in a sworn affidavit given on June 13, 1968, that on two or three occasions during the afternoon of April 4, 1968, he "heard footsteps leaving room 5 B and going past [his] room and into the common bathroom at the end of the hall."[8] A second tenant, William Charles Anschutz, told FBI interviewers that during the afternoon of April 4, 1968, he made two attempts to use the bathroom and found it occupied on each occasion. He recalled that Stephens told him, through the door of room 6 B, that the bathroom was being used by the new tenant in 5 B.(22) This information became significant in light of the uncontroverted evidence that Ray did, in fact, rent room 5-B on the afternoon of April 4.

Neither Anschutz nor Stephens could recall for the committee details of these bathrooms visits by the occupant of room 5 B, but Stephens noted in a sworn statement that at the time of the assassination, he was seated at the kitchen table in room 6 B, when he heard a loud explosion that he recognized as a shot. After looking out the window toward the Lorraine Motel, he heard footsteps running in the hallway. He went to the door, opened it, looked out and observed a man with something under his arm turning the corner at the end of the hallway. Stephens was sure the individual had come from the bathroom adjoining his apartment because of the loudness of the shot.(23)

Stephens' sobriety on the afternoon of April 4 was called into question by a number of sources, and the committee did not rely on his testimony for an eyewitness identification of the assassin. It believed that he was sober enough, however, to determine that a loud explosion had occurred nearby and that he saw a man fleeing down the hallway.(24) Similarly, Anshutz heard a shot, opened his door and saw a man fleeing down the hallway from the direction of the bathroom.(25)

[8] Grace Walden, who occupied room 6 B as Stephens' common law wife, gave a variety of conflicting statements with respect to her observations immediately after the assassination. Since Ms. Walden's testimony became the subject of dispute and caused controversy, it is discussed in a separate section of this report. See section II A b infra.

Witnesses in the vicinity of the Lorraine, including several officials of the Southern Christian Leadership Conference (SCLC) who were awaiting Dr. King for dinner, pointed in the direction of the rear of the roominghouse when asked by a Memphis police officer about the direction of the shot.[7]

Marrell McCullough, an undercover Memphis police officer, was one the first people to reach Dr. King's body. He testified in a committee public hearing that, based on his police training and experience, he determined from the position of the fallen body that the shot had come from the area of the roominghouse.(*26*) Others in the courtyard, including Ben Branch and Jesse Jackson, also believed that the shot had come from the direction of the roominghouse.(*27*)

Solomon Jones, who was serving as Dr. King's driver and who was in the courtyard of the Lorraine at the time of the shot, told the committee in a sworn statement that he saw a movement of something white and "as tall as a human being" in the brush beneath the roominghouse after Dr. King was shot.(*28*) There had been speculation that Jones observed, in fact, the hasty retreat of an assassin. Jones told the committee, however, that he saw the object for only a brief time. He did not see a head or arms; he could not tell whether the object was Black or white, male or female; and he assumed the object was a human being simply because he could think of no other explanation.(*29*)

In addition, Jones stated that at the moment of the assassination, both Bernard Lee and Andrew Young "reached and got me on each shoulder and pulled me to the ground." He stated further that by the time he got up off the ground, policemen had "almost" arrived at the Lorraine Motel from a nearby firehouse.(*30*)

The committee believed that the movement Jones perceived actually occurred several moments after the shot. If it was, in fact, a person, it may have been a law enforcement officer responding to the shot.

Other evidence, while not weighted heavily, was nonetheless consistent with the bathroom of the roominghouse as the likely firing location of the assassin. A slight indentation in a windowsill in the bathroom was originally thought by Memphis police to have been caused by a rifle barrel. FBI analysis could not confirm that the murder weapon was the cause of the indentation, nor could the committee. The committee's firearms panel conducted a microscopic review and chemical analysis of the windowsill, but it too could not confirm or eliminate the murder weapon or, in fact, any rifle or other object as the cause of the indentation.(*31*)

Similarly, scuff marks found in the bathtub could indicate that the assassin stood in the tub while taking aim through the bathroom window. The committee determined, in fact, that a clear shot at room 306 of the Lorraine could only have been made from the bathroom if the assassin was standing in the bathtub. The committee, however, was unable to eliminate the alternative possibility that these marks, apparently made by someone wearing shoes, were left by police officers attempting to check possible shooting angles immediately after the assassination.

[7] See MLK Exhibit F-154, VI HSCA MLK Hearings, 120 (a photograph of several SCLC members pointing toward the roominghouse from the balcony of the Lorraine immediately following Dr. King's assassination).

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Although the scientific evidence did not independently establish the location of the assassin, when it was combined with witness testimony, it pointed strongly to the rear of the roominghouse. In light of the mutually corroborative testimony of Stephens and Anschutz, and the absence of significant evidence of an alternative firing location, the committee found that the shot that killed Dr. King was fired from the bathroom window at the rear of the roominghouse at 422½ South Main Street.

3. JAMES EARL RAY PURCHASED THE RIFLE THAT WAS USED TO SHOOT DR. KING AND TRANSPORTED IT FROM BIRMINGHAM, ALA. TO MEMPHIS, TENN., WHERE HE RENTED A ROOM AT 422½ SOUTH MAIN STREET, AND MOMENTS AFTER THE ASSASSINATION, HE DROPPED IT NEAR 424 SOUTH MAIN STREET

Dr. King was killed by a Remington Peters, soft point, metal-jacketed bullet fired from a high velocity .30-06 rifle. The committee determined that a rifle purchased by James Earl Ray on March 30, 1968, in Birmingham, Ala., and which was found in front of Canipe's Amusement Co., 424 South Main Street, moments after the assassination, was the type of rifle that could have fired the bullet that killed Dr. King.

From a combination of field investigation, scientific data, and admissions by Ray, the committee was convinced that Ray purchased the rifle, transported it to the scene of the crime and abandoned it near the scene immediately after the shooting. First, the evidence is conclusive that Ray purchased a .30-06 caliber Remington Gamemaster slide action rifle, serial No. 161176, model 760, with a Redfield variable telescopic sight, serial No. A17350, and Weaver sight mount. This rifle, sight, and mount were recovered by police officers immediately after the assassination and were later designated exhibit "Q2" by the FBI. Ray repeatedly admitted, as he did under oath at a committee public hearing, that on March 29, 1968, he purchased a .243 caliber rifle and a telescopic sight at the Aeromarine Supply Co. in Birmingham. Further, Ray admitted that the next day he exchanged the .243 caliber rifle for a more powerful .30-06 Remington Gamemaster.(32) That rifle was identified as the rifle found in front of Canipe's Amusement Co. on April 4, 1968.

Ray's admission about the purchase and exchange was corroborated by the statements of U. L. Baker and Donald Wood, the Aeromarine employees who dealt with Ray on March 29 and 30. Wood, in fact, identified Ray as the man known to him as Harvey Lowmeyer who, on March 30, received the .30-06 rifle in exchange for the original .243 purchase.(33) In addition, the Aeromarine sales receipt reflects the initial purchase and subsequent exchange by Lowmeyer, the alias Ray admitted using at the time of the rifle purchase.(34)

The committee found significant Ray's use of an alias other than Eric S. Galt during a transaction that could be directly tied to the assassination. Ray had established identification as Eric S. Galt and used that name almost exclusively for 9 months preceding the assassination. When he rented an apartment or a room, bought a car, secured a driver's license, took dance lessons, rented a safe deposit box, visited a doctor, attended bartending school, and subscribed to a locksmith

course, all everyday activities, he did so as Eric Starvo Galt.(*35*) On the other hand, in transactions directly linked to the assassination, and therefore the most incriminating, Ray deviated from his established identity. He used the name Harvey Lowmeyer only for the purchase of the rifle; (*36*) similarly, he used the name John Willard only to rent the room at Bessie Brewer's roominghouse at 422½ South Main Street, Memphis.[8]

Although Ray claimed to have taken a slow drive through Alabama and Mississippi from March 31 to April 4, authenticated documents and sworn testimony convinced the committee that Ray, in fact, returned to Atlanta and left there for Memphis no earlier than April 1 and possibly as late as April 3. Regardless, Ray admitted transporting the rifle from Birmingham to Memphis,(*37*) claiming that he gave it to Raoul at the New Rebel Motel on the evening of April 3, never to see it again.

Thus the committee established that Ray bought a .30–06 Remington Gamemaster in Birmingham and took it to Memphis. This same rifle—with Ray's fingerprints on it—was found on the sidewalk in front of 424 South Main Street moments after the assassination.

Ray also admitted renting room 5–B at Bessie Brewer's roominghouse, using the name John Willard.(*38*) In interviews with the committee, as well as in the original investigation, Mrs. Brewer recalled renting room 5–B to John Willard. She also noted that the tenant rejected the first room shown to him, one equipped with light housekeeping facilities, saying he only wanted a sleeping room. Willard then accepted 5–B, Mrs. Brewer recalled, which was in the rear of the building near the bathroom and which offered a view of the front of the Lorraine Motel.(*39*) [9] A man matching the general description of Ray was also seen at the time he rented the room by Charles Stephens and by Bertie Reeves, another resident of the roominghouse.(*40*)

As noted previously, both Stephens and Anschutz saw a man carrying a bundle that could have contained a rifle, fleeing down the hallway shortly after the shooting. Bernell Finley, who was shopping in Canipe's Amusement Co. at the time of the assassination, recalled hearing a sound like the backfiring of an automobile. A short time later he saw a man walking by the front of the store, heard a noise and saw a bundle in the entranceway of the store. He then caught a glimpse of the profile of a man walking away in haste.(*41*) During his FBI interview, Finley described the man as a white male of average build wearing a dark suit. Shortly after he saw the man, Finley heard the screech of tires and saw a white Mustang pull away from the curb.(*42*)

[8] Ray testified that he made these name changes because he knew his involvement in gun running with a person he knew only as Raoul was illegal. (A complete analysis of Ray's Raoul story appears at Section II A 6 infra.) This explanation is undermined, however, by Ray's use of the Galt alias at the New Rebel Motel in Memphis on April 3, 1968, where he planned to meet Raoul and exchange the rifle, as well as by his admitted involvement in past criminal endeavors, such as smuggling at the Canadian border, without similarly elaborate precautionary measures. The committee believed Ray reverted to the Galt alias at the New Rebel because his stay there was not powerfully incriminating and to dissociate himself further from the activities he had engaged in as Lowmeyer and Willard in preparation for the assassination.

[9] While room 5–B offered a view of the Lorraine Motel, it did not provide a steady, comfortable firing position, since a shooter would have to lean out the window to aim at the motel. The window of the bathroom at the end of the hall, fronting on the rear of the Lorraine, did not present this problem. See MLK exhibits F 19 (crime scene), 1 HSCA MLK hearings, 77; F 20 (Bessie Brewer's roominghouse; second floor), 1 HSCA MLK hearings, 79.

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Guy Canipe, owner of the amusement company, told the committee he had no recollection of hearing the shot. He did remember hearing a thud at the front door and catching a glimpse of a dark-skinned white man passing the store.(43) In an earlier FBI interview, Canipe described the man as white, between 5 feet 10 inches and 6 feet tall, with a chunky build, wearing a dark suit and generally clean and neat in appearance. He also told the FBI that within moments of hearing the bundle drop, he saw a small white car pull away from the curb on Main Street.(44) Canipe did not recall this car (45) when he was interviewed by the committee. Julius Graham, another customer in Canipe's store, could not provide the committee with a description of the individual who dropped the bundle, but he did recall that a white Mustang passed the store heading north shortly after the bundle was dropped.(46)

The bundle dropped in front of Canipe's was recovered immediately afterward by Memphis police officers. It contained among other items two cans of Schlitz beer, the April 18 edition of the Memphis Commercial Appeal, a plastic bottle of aftershave lotion, a .30-06 rifle with a serial number matching that of the rifle purchased by Ray in Birmingham, ammunition, and a pair of binoculars.(47) The bundle also contained a portable radio with an identification number scratched off it. When the FBI was able to decipher the number, it was revealed to be Ray's Missouri State Penitentiary inmate number.(48)

The committee, in an effort to evaluate the available fingerprint evidence in the case, retained a fingerprint expert, Vincent Scalice of Forensic Control Systems. Scalice examined latent fingerprints lifted from the rifle, the binoculars, a Schlitz beer can and the front page of the Memphis Commercial Appeal. All were found to be the prints of James Earl Ray. Because of other commitments, Scalice could not complete the fingerprint identification, so the committee retained Darrell D. Linville and Ray Holbrook, fingerprint specialists for the Washington, D.C. Metropolitan Police Department. They subsequently identified Ray's prints on the telescopic sight on the rifle and on the bottle of aftershave lotion. No prints, either identifiable or unidentifiable, other than those identified as Ray's, were found on the rifle.(49)

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Having determined that Ray purchased the rifle, that his prints were on the rifle, that no other prints were on the rifle, and that a man matching Ray's description dropped the rifle shortly after the shot, the committee turned to the firearms evidence in an effort to establish, if possible, that the Q2 rifle was the murder weapon.

The committee retained a panel of five of the foremost firearms examiners in the United States to review the ballistics evidence.[10] A total of 257 man-hours were consumed by the firearms examination, which consisted of 81 comparisons of Q64, the bullet taken from Dr. King's body, with test-fired bullets, as well as exhaustive microscopic, visual, and chemical analyses. Despite this effort, the panel was

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[10] Aside from the obvious importance of an accurate analysis of the firearms evidence, the committee noted that the firearms examination in the original FBI investigation was inconclusive. The FBI found it was "* * * not possible to determine whether or not Q64 [the bullet removed from Dr. King's body] was actually fired from the Q2 rifle."

forced to conclude that "the bullet, exhibit Q64, cannot be identified or eliminated as having been fired from the rifle, Q2." [11] (*50*)

The panel, however, did make the following positive determinations:

1. The Q64 bullet was a .30-06 caliber bullet of Remington-Peters manufacture.
2. The bullet was imprinted with six lands and six grooves and a right twist by the rifle from which it had been fired.
3. The Q2 rifle had general class characteristics of six lands and six grooves with a right twist.
4. The cartridge case (Q39) found in the Q2 rifle had been fired in the Q2 rifle.
5. The damage to Dr. King's clothing, when tested microscopically and chemically, revealed the presence of lead from a disintegrating bullet and also revealed the absence of nitrites (the presence of nitrites would have indicated a close-range discharge).
6. The damage to the clothing was consistent with the caliber and condition of the Q64 bullet. (*51*)

While the firearms panel could not say conclusively that the rifle found in front of Canipe's, one with Ray's fingerprints on the stock and scope, fired the fatal shot, it did conclude that it was possible for the shot to have been fired from that rifle. When the panel's conclusions were combined with Ray's admissions, fingerprint evidence, and the testimony of other witnesses, there was ample evidence for the committee to conclude that Ray had purchased the .30-06 rifle, transported it to Memphis, shot Dr. King and dropped the murder weapon in front of Canipe's Amusement Co. while fleeing from the scene of the crime.

4. IT IS HIGHLY PROBABLE THAT JAMES EARL RAY STALKED DR. KING FOR A PERIOD IMMEDIATELY PRECEDING THE ASSASSINATION

The committee considered allegations that Ray stalked Dr. King for a period of time preceding the assassination, and it developed evidence indicating a high probability that Ray did, in fact, pursue Dr. King from Los Angeles to Atlanta and ultimately to the Lorraine Motel in Memphis.

In all likelihood, the stalking began about March 17, 1968, the day that Ray left Los Angeles and drove eastward. Ray's decision to leave California was not impulsive. In discussions with his acquaintances from a bartending school earlier in March 1968, he had mentioned his plans to travel east on two separate occasions. (*52*) Moreover, Ray submitted a postal change of address card [12] with a forwarding address of Atlanta, Ga., Dr. King's home city, before leaving Los Angeles.

Ray, however, never conceded his intent to travel to Atlanta from Los Angeles. In an interview with Dan Rather of CBS in 1977, Ray flatly stated that he never knew he was going to Atlanta until he arrived in Birmingham, "* * * and there was no forwarding address [when I left Los Angeles] and, of course, that would be very damaging

[11] It is a common misunderstanding that bullets can always be matched to guns. In fact, it is not always possible to match bullets to guns, and no significance should be attached to the failure. Indeed, the panel determined that the individual bullets that it fired from the Q2 rifle could not always be matched scientifically with the weapon, since the rifle apparently exhibits inconsistent characteristics on successive rounds. See MLK firearms panel report, XIII HSCA-MLK hearings.

[12] See MLK exhibit F-52 (postal change of address card), II HSCA-MLK hearings, 50–51.

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against me." (*53*) Similarly, in his public hearing testimony, Ray emphatically denied filing a change of address in Los Angeles, although he did acknowledge the possibility that he mentioned Atlanta during a telephone conversation with an associate of Raoul.(*54*) When the committee confronted Ray with the change of address card that he had filed in Los Angeles on March 17, indicating a temporary change of address to General Delivery, Atlanta, until April 25, Ray admitted the card was his and that he must have filed it before his departure from Los Angeles.(*55*) Ray could not explain his statement to Rather that an intent to go to Atlanta was damaging.(*56*) Since Atlanta was the national headquarters of the SCLC, as well as Dr. King's home, the committee found Ray's anticipated travel to that city as the first significant indication of his interest in tracking the activities of Dr. King.

Ray's probable stalking of Dr. King continued with his trip to Selma, Ala., following his departure from Los Angeles. Dr. King was in the Selma area on March 21. Ray admitted being in Selma on March 22 (a motel registration card for his Galt alias confirms his stay there),[13] but his explanation for being there was not convincing. He claimed that while driving from New Orleans to Birmingham, allegedly to meet Raoul, he got lost and had to spend the night in Selma.(*57*) The committee noted, however, that in 1968 there were two direct routes from New Orleans to Birmingham, and that Selma was on neither of them. It was situated in between the two routes, about 45 miles out of the way. The committee further determined that it would have been difficult for Ray to have become lost between New Orleans and Birmingham.

The committee found Ray's activities following the purchase of the rifle relevant to the stalking theory. On March 28, the day after violence cut short a Memphis march led by Dr. King, Ray purchased a .243 caliber rifle in Birmingham.(*58*) On March 30, he exchanged it for a .30 06 Remington,(*59*) the rifle the committee concluded he used to assassinate Dr. King.

Ray testified that between March 30 and April 3, he took a slow drive through Alabama and Mississippi, stopping at different motels each night, on his way to meet Raoul in Memphis.(*60*) The committee could find no evidence, witness corroboration or documentation, to support this account.[14] On the other hand, there was substantial evidence indicating that Ray returned to Atlanta following the rifle purchase. Thus, Ray's movements roughly paralleled those of Dr. King, who returned to Atlanta from Memphis on March 30. Except for a trip to Washington, D.C., on March 31, Dr. King remained in Atlanta until April 3, 1968, when he returned to Memphis.(*61*)

Ray adamantly denied that he returned to Atlanta before proceeding to Memphis. At a public hearing of the committee, he testified, "I know

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[13] See MLK exhibit F 53 (Flamingo Motel registration card), II HSCA–MLK hearings, 55.

[14] During his public hearing testimony, James Earl Ray's brother, Jerry, asserted that records that would have shown James' stay at the Southern Motel in Mississippi on April 1, 1968, had been destroyed by the FBI. The committee explored Jerry Ray's allegation—it took testimony from the manager of the motel, and it reviewed registration cards from the motel for the appropriate period. The committee determined that Jerry Ray's allegation was without merit.